

Knight's Moves: The Son-in-law in Cicero and Tacitus*

Abstract

While the relationship between fathers and sons, real or metaphorical, is still a dominant paradigm among classicists, this paper considers the rival contribution of Roman sons-in-law to the processes of collaboration and succession. It discusses the tensions, constraints, and obligations that *soceri-generi* relationships involved, before claiming a significant role for sons-in-law in literary production. A new category is proposed here: "son-in-law literature," with texts offered as recompense for a wife or her dowry, or as substitute funeral orations. Cicero and Tacitus are two authors for whom the relationship played a key role in shaping realities and fantasies of advancement. The idealized in-law bonds of *De Amicitia*, *Brutus*, and *De Oratore* are set against Cicero's intellectual aspirations and real-life dealings with a challenging son-in-law, while Tacitus' relationship to Agricola can be seen to affect both his historiographical discussions of father-son-in-law relationships and the lessons he drew from them about imperial succession.

Key words: Rome – family – father-in-law – son-in-law – Cicero – Tacitus – Agricola – marriage – dowry – dedication

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You can hardly imagine that I or Lord Bracknell would dream of allowing our daughter - a girl brought up with the utmost care - to marry into a cloak-room, and form an alliance with a parcel?

Oscar Wilde, *The Importance of Being Earnest*

They very innocently set us up thinking that our only interest in one another would be transactional.

Ivanka Trump, *Vogue*, March 2015

The father-son relationship has long stood its ground in classical studies. That is hardly surprising, given the many uses the paradigm has served. Not only has it functioned as an obvious practical unit for modeling the transfer of ancient power and property: it has also lent itself as a conceptual framework for multiple abstract ideas of authority and evolution, from perfect kingship to the linguistic family tree and the textual stemma.¹ In Roman elite society, concepts such as *mos maiorum*, *patria*

¹ Saller 1994: 102: "Over the centuries, the Roman *paterfamilias* has served as a paradigm of patriarchal authority and social order; *patria potestas* has been seen as the embodiment of arbitrary, even tyrannical power." Recent contributions to a vast literature include: Stevenson 1992 (kingship and fatherhood); Strauss 1993 (Athens); Fowler 2000 (Rome); Gunderson 2003 (declamation and paternity); Cantarella 2003 (Rome); Hübner and Ratzan 2009 (fatherlessness). See Davis 1987 on the relationship between 19th-century studies of patriarchal Roman law, Darwinism, and the

potestas, *pietas*, and *exemplum* seem ready-made to regulate or galvanize a system of succession that exemplifies the anthropological principle of “father-right.”² And while the legendary rigidity of the patriarchal stereotype has often been questioned, real-life alternatives such as adoption, patronage, and educational mentoring evidently remained patterned on it.³ In the literary sphere, too, the relationship plays a central role, especially in contexts that involve the transmission of inherited cultural capital. Many Latin works were dedicated to sons by their fathers – Cato, Cicero, Livy, Seneca the Elder, Macrobius, and Martianus Capella among them – often in order to communicate a body of learning or to socialize the next

comparative method in linguistics; Reeve 1998 on the history of stemmatics in textual criticism.

² On *mos maiorum*, see Linke and Stemmler 2000. On exemplarity, see most recently Roller 2018.

³ Saller 1997: 33 traces the absolute belief in Roman “father-right” back to jurist Maine and anthropologists Morgan, Radcliffe-Brown, and Fortes. For a more moderate view of *patria potestas*, see Saller 1986; Saller 1994: 2, 101-32; Saller 1997; countered by Cantarella 2003. Bernstein 2008 discusses a range of surrogate father-relationships in Rome, albeit “Roman authors privilege the father-son relationship as the optimal context for ethical, social, and political pedagogy” (p. 209).

generation.⁴ These days, we may be more inclined to uncover Oedipal, Bloomian, or Lacanian tensions, or deflect our gaze toward mothers, instead.⁵ Yet father-son inheritance remains central both to heroic value-systems and to the emotional heart of Roman epic, even if it now does double duty as a metaphor for reverence or antagonism between poets and their forebears.⁶

For all that, the true conduit of male succession, whether familial or creative, has not always been the bloodline. In Pindar, for example, the exchange of gifts

⁴ LeMoine 1991. These dedications include Cato, *Ad Marcum filium*; Cic. *Part. 1, Off.* 1.1; Livy's lost epistolary essay (cited at Quint. 10.1.39); Sen. *Contr.* 1.1 (also the fragmentary *Suasoriae*); Gell. *NA praef.*; Macrobian *Sat.* 1.1.1; Mart. Cap. *De Nupt.* 1.2 and 9.997, 1000. LeMoine (at 351) notes the didactic tone of many of these dedicated works, which are far more common in Rome than in Greece (though cf. Socrates' dialogue with his son Lamprocles; Xen. *Mem.* 2.2.1-14); see *ibid.* 359-63 on the use of nutritional metaphors (*digestus, indigestus*): fathers "pre-mashed" material for their sons' consumption.

⁵ For a psychoanalytic approach to fathers in Virgil, see Miller 2003: 52-91. On Roman mothers, real and represented, see Dixon 1988; Hallett 2006; Newlands 2006; Oliensis 2009: 57-91; Augoustakis 2010; Hackforth Petersen and Salzman-Mitchell 2012; McAuley 2014.

⁶ Hardie 1993: 88-119. See also Farrell 1999: 101-104; Casali 2007; Gildenhard 2007; Goldschmidt 2013: 149-92.

between a bridegroom and the bride's father is an equally forceful metaphor, in this case for the transformative contribution that poetry makes to the broader circulation of prestige.⁷ Conversely, the most seismic shake-up of power in Rome's history finds its symbolic core in the dysfunctional relations of Caesar and Pompey, a father-in-law and a son-in-law.⁸ In his epic version of Rome's charter myth, a Trojan exile's takeover of Italy, Virgil crosses family lines to narrate a proto-civil war that ends in resolution and alliance between Latinus and his daughter's future husband, Aeneas.⁹ In the biographies of modern luminaries, too – artists and scholars – it is often not the son but the son-in-law who plays a critical role. Nineteenth-century German philology is rooted in a disproportionate number of father-son-in-law relationships, most famously that of Mommsen and Wilamowitz.¹⁰ Biography itself was established as a science at the turn of the twentieth century in the hands of first

⁷ Kurke 2013: 95-118 discusses Pindar's use of betrothal plus gift-exchange as an analogue for patronage in *Olympian* 7 and for athletic victory and its celebration in *Pythian* 5, *Pythian* 9, and *Olympian* 9.

⁸ Cat. 29.34: *socer generque, perdidistis omnia?*, "Father-in-law and son-in-law, have you ruined everything?"; cf. Virg. *Aen.* 6.830-1 *socer ... gener*.

⁹ See Hardie 1993: 93 on the *Aeneid*'s foreshadowing of the later civil war.

¹⁰ Marchand 2003: 50-51. At the 2010 Cambridge Laurence Seminar on creative biography (see Fletcher and Hanink 2016), I remember Barbara Graziosi exclaiming from the audience: "What a lot of sons-in-law there are in these stories!".

Wilhelm Dilthey and then his student-turned-son-in-law, Georg Misch. As Constanze Güthenke puts it in a recent essay, marrying the professor's daughter is "not untypical for German academic filiation."¹¹

My discussion here concentrates on ancient Rome and seeks to explore some of the special pleasures and tensions involved in the father-son-in-law relationship. I will first attempt to lay some ground for thinking about the relationship in its historical manifestations, especially as a mechanism for strengthening families or for social and political advancement. My main emphasis, however, is on the literary construction of the relationship and its written performance in the works of two prose authors – Cicero and Tacitus. There are of course many other places where one could look for the ideal or not so ideal Roman son-in-law: comedy, for example, or the Appendix Vergiliana, where *Catalepton* 6 and 12 reduce Pompey and Caesar's calamitous relationship to household farce, with some very opaque allusions to wedding-nights and hernias.¹² Yet Cicero and Tacitus lived the relationship as a political as well as a domestic reality. On the page, they idealize it as a model for

¹¹ Güthenke 2016: 35.

¹² In Terence, for example, this is how one father recommends his son for marriage: *An.* 571: *tibi generum firmum et filiae inuenies uirum*, "You will find him a reliable son-in-law and husband for your daughter." See Watson 2008 for helpful explication of *Catalepton* 6 and 12 and Peirano 2012: 100-101 on allusions to Catullus and Calvus, most notably to Cat. 29.34 (see above n. 8) .

collaboration and succession; at the same time, they appear to make it the focus of some powerful personal fantasies – and disappointments, too. I will ask what happens when an author steps into a real or potential role as son-in-law; I will also propose that there is a small sub-genre of texts addressed to real or virtual fathers-in-law which could be called “son-in-law literature.”

It goes without saying that any given set of relatives can be viewed simultaneously through different lenses. It may seem one-sided to consider individuals as sons-in-law when they are also sons, husbands, and often brothers, fathers, nephews, cousins, uncles, and/or fathers-in-law, as well (and that is to disregard the contribution of women to the family tree). In fact, as we will see, it was often his possession of several family identities at once that marked out a potential son-in-law as an eligible quantity in the first place. Two features of the Latin vocabulary for in-law relations are worth noting in passing: first, *gener*, son-in-law, cognate with Greek γαμβρός, sounds nothing like its female counterpart, *nurus* (unlike *socer*, father-in-law, from which *socrus*, mother-in-law, derives); and secondly, *gener* sounds oddly as if it might be connected with standard generational words, like *genus* and *genero*, which it is not.

Various questions spring to mind when thinking about Roman sons-in-law, not all of which are easy to answer.¹³ Just how unique was this role? Among the

¹³ Hallett 1984: esp. 102-107, 263-346 is an excellent introduction, focused on the pivotal role of the daughter.

pragmatically “blended” families of ancient Rome, how different was the son-in-law from a natural son, a stepson, a foster-son, an adopted son, or a nephew? Was he more useful? More dependable? More dispensable? Did the relationship with the wife’s family outlive the relevant marriage if it ended through death or divorce?¹⁴ Who stood to benefit more from the alliance, the bridegroom or his new family? It was Margaret Murray who first pointed out that legends about the early regal period in Rome enshrine the idea of succession by son-in-law: Tarquinius Priscus to Servius Tullius to Tarquinius Superbus; Numa Pompilius to Titus Tatius.¹⁵ Judith Hallett prefers to call this “filiafocal” succession; indeed, from a feminist perspective, daughters are the linchpin in any such handover.¹⁶ On the other hand, these legends

¹⁴ See Moreau 1990: 17-18 on the conflicting evidence; see esp. Philo, *Leg. ad Gaium* 9.62-4 and 71 (M. Iunius Silanus is over-confident that the bonds of *adfinitas* with his son-in-law Gaius have survived, “still quivering”, his daughter’s death); cf. Gruen 1974: 453: Caesar’s decision to make Pompey his heir did not end with Julia’s death, only with the outbreak of civil war.

¹⁵ Murray 1915. Hallett 1984: 111 stresses the role of daughters/wives “as crucial individuals in determining, and strengthening, royal succession”: e.g. at Livy 1.39.4-5. Livy 1.40.4 tells how Ancus Martius’ sons decide to kill Tarquinius Priscus rather than Servius Tullius because if Servius were killed Tarquin would simply choose another son-in-law as heir.

¹⁶ Hallett 1984: 64-69. See also Bush 1982: 83-87.

come down to us imbued with later tensions and even conflicts. Livy makes his Sabine women anticipate more recent civil wars, in particular the execrable conflict between Pompey and Caesar:

Tum Sabinae mulieres ... hinc patres, hinc uiros orantes, ne sanguine se nefando soceri generique respergerent, ne parricidio macularent partus suos, nepotum illi, hi liberum progeniem. Livy 1.13.1

Then the Sabine women ... imploring their fathers on one side, husbands on the other, as fathers-in-law and sons-in-law, not to besmirch themselves with impious bloodshed, not to stain their offspring – grandchildren in one case, children in the other – with familial slaughter.

In fifth-century Athens, Boreas, the North Wind, was curiously identified as “son-in-law” of the city, a fertilizing, fortune-changing force which had blown in and coupled with its “daughter,” princess Oreithyia (after some hiccups: she rejected him, then he raped her).¹⁷ Winds were quite often called sons-in-law; Boreas later had his own son-in-law, Phineus of Thrace (these strings of sons-in-law will interest me later). Already, legends and mythological categories help us to see the son-in-law

¹⁷ Hdt. 7.189 describes the oracle to which “Boreas” was the solution. See Parker 1996: 156-57; Robertson 2010: 180-84.

as something like an injection of potency, energizing but quite possibly hard to keep in check.

Where Roman law and social practices were concerned, were in-laws in or out? Their special Latin word, *adfines*, suggests that they were liminal figures for the family they joined.¹⁸ But when Maurizio Bettini briefly considers their place in the larger structures of Roman kinship, he homes in at once on what anthropologists call “mechanisms of distancing”: rules of behavior which indicate that the son-in-law was thought of as being fully absorbed into his wife’s family, such that too much intimacy with his new relatives would become taboo.¹⁹ The special closeness of the Roman father-in-law/son-in-law relationship is also indicated by certain legal and social prohibitions. By contrast with most modern western societies, sex between in-laws in Rome was classed as incest, the criterion being not genetic closeness but family membership, *adfinitas* (thus, in Ovid’s *Metamorphoses*, Tereus’ rape of his sister-in-law counts simultaneously as incest).²⁰ A notorious pressure point, then as

¹⁸ On *adfinitas* in Rome, see Guarino 1939, Hellegouarc’h 1963: 65-67 (in relation to *amicitia*), Moreau 1990 (pointing out p. 7 that in legal contexts the term equally embraced step-relatives).

¹⁹ Bettini 1991: 10-11.

²⁰ As Philomela sees it at Ovid, *Met.* 6.537-38: *omnia turbasti; paelex ego facta sororis, | tu geminus coniunx, hostis mihi debita Procne!*, “You have confused everything: I have become the other woman to my sister, you have become a husband twice over,

now, was the relationship between son-in-law and mother-in-law,²¹ nowhere better illustrated than in Cicero's tirade against Sassia's seduction of Melinus in *Pro*

Cluentio:

lectum illum genialem, quem biennio ante filiae suae nubenti strauerat, in eadem domo sibi ornari et sterni expulsa atque exturbata filia iubet: nubit genero socrus nullis auspiciis, nullis auctoribus, funestis ominibus omnium. Cic. *Clu.* 5.14

She gives orders that the very marriage bed which two years before she had made ready for her daughter should be adorned and made ready for her, in the self-same house from which her daughter has been hounded out. And so mother-in-law marries son-in-law, with no one to bless, no one to sanction the union, and amid general doom and gloom.

Procne should be my enemy!". See further Bush 1982: 2-3 on the prohibitions recorded in the Roman jurists.

²¹ Cross-culturally widespread: see Frazer 1911: 3.338-46 for examples of aboriginal Australian and African males who shunned their mothers-in-law (ibid. 84: "The awe and dread with which the untutored savage contemplates his mother-in-law are amongst the most familiar facts of anthropology"); cf. Junod 1936: 1: 224-27 on Bantu bridegrooms who kept prenuptial distance from their mothers-in-law (where the impetus may have been to disclaim sexual competition with fathers-in-law).

Other taboos are more surprising. Cicero, Valerius Maximus and Plutarch all tell us not only that fathers and grown-up sons in Rome never took baths together, but neither did fathers-in-law and sons-in-law – an inhibition Valerius writes was as ingrained as not stripping off in a temple.²² Another tradition forbade fathers-in-law and sons-in-law to exchange gifts (perhaps because it complicated the dowry).²³ Nevertheless, sons-in-law and sons are sometimes seen as a harmonious collective. When that paragon of worldly happiness Q. Caecilius Metellus Macedonicus died,

²² Plut. *Qu. Rom.* 40: “It is neither proper nor fine for a son to undress in the presence of his father, or a son-in-law in the presence of his father-in-law. For this reason, in the old days, they did not take baths together”; cf. Plut. *Cato Maior* 20.6; Cic. *Off.* 1.129; Val Max. 2.1.7. When Crassus stood for consul and needed to canvass for support in the forum, he could not bear to do it in front of his father-in-law, having too much reverence (*uerecundia*) for this *grauissimo et sapientissimo uiro* (Val. Max. 4.5.4).

²³ Plut. *Qu. Rom.* 8 speculates: “Is the father-in-law prevented from receiving a gift from his son-in-law, in order that the gift may not appear ultimately to reach the wife through her father? And is the son-in-law similarly prevented, since it is obviously just that he who may not give shall also not receive?”. On Roman dowries, see Saller 1994: 204-24.

his body was borne at his funeral by “his four sons and three sons-in-law” (Val. Max. 7.1.1).²⁴

As for elite family succession, it is difficult to generalize about whether the marriage tie (in Latin, “chain” is often the operative metaphor²⁵) normalized dynastic opportunism and social mobility or acted as a more conservative device to consolidate aristocratic blood.²⁶ Archie C. Bush’s original and exhaustive work into Roman aristocratic family structure in the 1980s offers many illuminating insights. Among these is the notion of equivalence among relatives as a consequence of marriage. To take the most basic example, if one function of Roman marriage was to give a man’s wife legal equality with his daughter (assuming that the archaic

²⁴ Catullus 72.4 says he loves Lesbia not as a girlfriend but “as a father loves his sons and sons-in-law,” *pater ut gnatos diligit et generos*.

²⁵ For *uinculum* and *deuincire* in this context, see e.g. Ter. *An.* 561, Cic. *Planc.* 27, Val. Max. 2.1.7, Tac. *Ann.* 1.55. The tie (here, *munus*) could also be “broken” by death: *Eleg. in Maec.* 2.31-32 *sit secura tibi quam primum Liwia coniunx | expleat amissi munera rupta gener*, “May your consort Livia be freed from anxiety as soon as possible, may a son-in-law [Tiberius] mend the broken service of him who is lost [Drusus].”

²⁶ Wiseman 1971: 53, 59 demonstrates that in the late Republic it was the exception rather than the rule for noble Romans to marry within their *gens* or even within other noble *gentes*. By Tiberius’ time, Tacitus notes that few senators who witnessed the trial of four consulars were unrelated to them by *adfinitas* or *amiticia* (*Ann.* 6.9.3).

practice of *in manus* marriage had a lasting symbolic residue), so, symmetrically, the man himself became legally equivalent to any future son-in-law.²⁷ This formed the basis of a special relationship, artificially manufactured but otherwise somewhat analogous to the “sister’s son” privilege (albeit often a folk tradition) in Western Europe and other societies.²⁸ Indeed, by the rules of equivalence, son-in-law might also correspond to nephew, as well as to son. Not only that, but the conventions of aristocratic *adfinitas* and remarriage generated a pool of obviously eligible relatives: thus, for example, a husband’s former wife’s husband counted as a virtual kinsman, and so members of his family, too, became thinkable marriage partners. So while Cicero may exploit the social and legal taboos on mother-in-law/son-in-law marriage to incite disgust for Sassia in *Pro Cluentio*, it is possible that she chose to override those taboos because Melinus, as her husband’s sister’s husband’s son, was

²⁷ Bush 1982: 2.

²⁸ Promoted by Tac. *Germ.* 20: *sorum filiis idem apud auunculum qui ad patrem honor. quidam sanctiorem artiolemque hunc nexum sanguinis arbitrantur*, “Sisters’ children mean as much to their uncles as to their father: some tribes regard this blood-tie as even closer and more sacred than a blood tie.” On the validity of the relationship in Anglo-Saxon society, see Lancaster 1958; in West and South Africa, Radcliffe-Brown 1924, Goody 1959, Bloch and Sperber 2002; in ancient Greece, Bremmer 1983.

independently, if remotely, eligible to be her own husband, as well as her daughter's.²⁹

As Margaret Murray long ago observed, the father-son-in-law relationship favored by the early kings was later harnessed by the emperors in order to secure their succession.³⁰ Even this needs to be seen in the context of wider patterns in the Roman aristocracy and continuities in the republican political structure, where partners in magistracies often turn out to be (already or subsequently) united or accelerated in their careers by affinal ties.³¹ For all the frequency of divorce and

²⁹ Bush 1982: 49.

³⁰ Murray 1915. Bush 1982: 90-91 claims that traditional equivalences allowed this to be broadened out to include e.g. sister's husband's sister's daughter's husband (Claudius to Caligula), as well as daughter's husband (Nero to Claudius, and Tiberius to Augustus). Vell. 2.99.1-2: Augustus was Tiberius' "father-in-law and stepfather at the same time" (*socero atque eodem vitrico*), thanks to his mother Livia and his marriage to Julia (but Tiberius was also Augustus' daughter Julia's husband Agrippa's daughter Vipsania's husband).

³¹ Bush 1982: 135-247; *ibid.* 70: "[T]he coincidence in office of a woman's husband, brother, son-in-law or spouse equivalent was not extraordinary nor confined to the imperial family. It was rather quite regular and could be used to confirm either an existing or projected union." For consular glory reflected from father-in-law to son-in-law, see Plut. *Cato Minor* 39.4.

adoption among the Roman upper classes, Mireille Corbier still lists “privileged relationships between sons-in-law and fathers-in-law” among the relatively persistent “rules of the game,” as she calls them (along with stable marriages and natural lines of descendants).³² Like nephews or grandsons, sons-in-law were often adopted by a *paterfamilias* when no natural son was available to carry on the line.³³ Thus a son-in-law might well begin as a nephew or cousin and end up as an adopted son. One imperial example is Marcus Aurelius, adopted by his uncle Antoninus as son and heir, then married to his daughter, Faustina, thus bumped twice up the line of succession (the result then being brother-sister incest, Faustina had to be moved swiftly into another *gens*).³⁴ The imperial family may have been a law unto itself, but

³² Corbier 1991a: 77.

³³ Corbier 1991a: 71. Hallett 1984: 334-35: “Sons-in-law were chosen by fathers-in-law on the basis of talent and promise as well as pedigree and connections; sons-in-law whose conduct did not meet with the approval of their fathers-in-law could be disposed of simply, through divorce... What is more, a son-in-law, who appreciates, rather than assuming as a birthright, any share in a patriarch’s assets, often presents far less of a threat than does a son when those assets are needed to obtain or maintain political power.”

³⁴ The same expedient was used when Octavia, daughter of Claudius, married her cousin Nero, by then also her adoptive brother (Dio 61.33.2).

this is still a fairly typical story of shuffling to reinforce and above all simplify elite family ties.

Finally, what can jokes tell us about the tensions between sons-in-law and their new families? According to Macrobius, Cicero once gave short shrift to a son-in-law: "Seeing his son-in-law Lentulus, a short chap, kitted out with a long sword, he quipped, 'Who tied my son-in-law to a sword?'"³⁵ This was Dolabella, adopted by a plebeian, Lentulus, for political reasons; more on him later. Cutting one's son-in-law down to size was clearly the ideal, but the reverse scenario – that he might actually threaten his wife's father, especially in a dynastic context– emerges from another quip, the one uttered by Maecenas to Augustus about Agrippa: "You have made him so great that you must either make him your son-in-law or kill him."³⁶ Marrying off one's daughter should be a way to contain and incorporate an external force, shore up one's own interests and secure the inheritance of one's biological kin while adopting in a whole new set of ancestors. Think of Aeneas, who goes from marrying one king's daughter to marrying another, and inherits two kingdoms.

Cicero

Forewarned of some of the complexities of the Roman father-son-in-law relationship, let us turn now to my first group of texts, three Ciceronian dialogues:

³⁵ Macrobius, *Sat.* 2.3.3.

³⁶ Dio 54.6.5.

De Oratore (55 BC), *Brutus* (46 BC) and *De Amicitia* (44 BC). All three works are leisured discussions between intergenerational groups set in secluded villas or gardens. All three perform alternative kinds of civic engagement against backgrounds of looming political crisis: respectively, the Social War, the end of the Republic and the Gracchan reforms. Even when he does not appear himself, Cicero is there behind the scenes, orchestrating suitable combinations of characters, topics and dedicatees, confirming his position as a public intellectual apparently moving at ease among the established aristocracy but in reality remaining outside it. All three dialogues also give center-stage to sons-in-law. That is not to say that there are not plenty of other young-old male relationships on display: *De Oratore*, for example, features M. Antonius, Cicero's political associate and friend, and two promising and unrelated young men, C. Cotta and P. Sulpicius.³⁷ But sons-in-law still appear to play an outsize role.

That is partly because the same families reappear across the three dialogues (a family tree, adapted from one in Douglas 1966: 153, is given in fig. 1):

fig. 1

³⁷ Tubero, the first interlocutor in *De Republica*, is introduced as Scipio's nephew (though he was also Lucius Aemilius Paullus' favorite son-in-law).

I start with *De Amicitia*, last in terms of publication but earliest in terms of imagined setting, a work dedicated to Cicero's own best friend and in-law, Atticus (whose sister married Cicero's brother). It opens with a memory of Q. Mucius Scaevola Augur (center-left in fig. 1), early mentor to the young Cicero, sitting and talking with a few friends *in hemicyclio* (what better-shaped space than a semi-circular garden-house or garden seat for giving advice about how to select half the world as one's friends and exclude the other half?). Yet the conversation that *De Amicitia* will actually record is a much earlier one, between a father-in-law and two sons-in-law, Laelius with Scaevola and Fannius, in 129 BC, just after the death of Laelius' best friend Scipio Aemilianus:

Q. Mucius augur multa narrare de C. Laelio socero suo memoriter et iucunde solebat ... itaque tum Scaeuola cum in eam ipsam mentionem incidisset, exposuit nobis sermonem Laeli de amicitia habitum ab illo secum et cum altero genero, C. Fannio Marci filio, paucis diebus post mortem Africani. *Am.* 1.1, 1.3

Quintus Mucius [Scaevola] the augur often used to reminisce accurately and pleasantly about his father-in-law Gaius Laelius... So it was that Scaevola then happened to mention the subject, and relayed to us the discussion Laelius had about friendship with him and his other son-in-law, Gaius Fannius, son of Marcus, a few days after the death of Scipio Africanus.

How does this superimposed relationship change the terms of a discussion about friendship? For one thing, it is more hierarchical. The young men, Scaevola and Fannius, emphatically do not illustrate the virtues of equality and frankness that the dialogue idealizes between true *amici*. They defer to Laelius obsequiously, allowing him to make a dialogue into a monologue by actually stopping speaking a third of the way through.³⁸ Is this model son-in-law behavior? “Well-mannered, reticent, self-effacing” – as a *Vanity Fair* journalist once said of Donald Trump’s son-in-law?³⁹ Does their attitude illustrate the Roman virtues of *pudor* and *uerecundia*, as in the bathhouse? Or does it politely shield Laelius from the inevitable transfer of power that will take place, or already has done, between him and his successors? What is not on display here is the real-life tension between the two young men. They would later line up on either side of the pro-/anti-Gracchan divide – a rift that would test the principles of *amicitia* just as the Civil Wars would test Atticus, who tried to be “everyone’s friend.” In *Brutus*, Cicero had already uncovered more personal family tensions: Fannius hated his father-in-law because he had chosen Scaevola over him for election to the college of augurs, even though Scaevola was younger;

³⁸ Springer 1994.

³⁹ <https://www.vanityfair.com/news/2016/05/jared-kushner-donald-trump> [accessed 06.23.2018]

Laelius' excuse at the time was that he was giving priority to the husband of his elder daughter.⁴⁰

In any case, as Cicero's future mentor, Scaevola is clearly the favored son-in-law. His name opens *De Amicitia*; he channels the memory of Laelius' speech. What is more, like Boreas before him, or the early kings, he is one link in a chain of significant son-in-law relationships. He functions as a pivot, in that he has his own special son-in-law, the orator Licinius Crassus. The two had already appeared together in *De Oratore*, set at Crassus' villa at Tusculum, where Scaevola is Crassus' guest of honor, but also specifically named as his father-in-law:

dici mihi memini ludorum Romanorum diebus L. Crassum quasi colligendi sui causa se in Tusculanum contulisse. uenisse eodem, socer eius qui fuerat, Q. Mucius dicebatur et M. Antonius, homo et consiliorum in re publica socius et summa cum Crasso familiaritate coniunctus. *De Or.* 1.7.24

I remember I was told that on the day of the Roman games L. Crassus took himself off to his Tusculan villa to collect his thoughts; and there too Q. Mucius [Scaevola] is said to have come, who had been his father-in-law, together with M. Antonius, a man who had both

⁴⁰ *Brut.* 101. Friction between the sons-in-law is only lightly anticipated at *Am.* 19, where Laelius comments that *propinquitas* (close relationship) does not always entail friendship.

shared all his political decision-making and was united with him in the closest bond of friendship.

Does the pluperfect of *esse* here (*socer eius qui fuerat*) signify an *ex*-father-in-law, that the wife/daughter Mucia was dead but the tie between the men went on? What is clear is that this is a family line which transmitted rhetorical talent not straightforwardly but by knight's moves down the generations – from Laelius to Scaevola to Crassus – replenishing the stock with regular injections from outside. Indeed, throughout *De Oratore*, Crassus and Scaevola actively stress their roles as links in the chain, repeatedly mentioning fathers- and sons-in-law in the same breath:

“cetera” inquit “assentior Crasso, ne aut de C. Laelii, soceri mei aut de huius generi aut arte aut gloria detraham...

De Or. 1.9.35

On his other points, [Scaevola] said, I agree with Crassus, not to disparage the art or renown either of my father-in-law C. Laelius, or my son-in-law here...

saepe ex socero meo [Scaevola] audiui, cum is diceret socerum suum Laelium

De Or. 2.6.22

[Crassus says] I've often heard my father-in-law tell how his father-in-law Laelius...

A well-known fragment of Lucilius about the affected style of one Albucius (who liked to compose in mosaic-like tessellations of words) is found embedded in a ludic

scenario where Lucilius does an impression of Scaevola mocking Albucius, but involves his son-in-law Crassus in the joke as well:

quae cum dixisset in Albucium inludens, ne a me quidem abstinuit:

Crassum habeo generum, ne rhetoricoterus tu seīs.

De Or. 3.171 = Lucil. 84-86M

[Crassus says] *And after this hit at Albucius, he [Lucilius, impersonating Scaevola] didn't let me off the hook either: "Crassus is my son-in-law, so don't get too rhetorical."*

Such homosocial banter is perhaps easier to imagine between in-laws than between Roman fathers and their sons.⁴¹

There are, as we have recognized, many ways of looking at the same family tree. It is no coincidence that this particular line of "orator in-laws" is associated with another remarkable phenomenon. According to Cicero and Quintilian, certain

⁴¹ At *De Or.* 1.242, Scaevola is credited with giving his son-in-law Crassus a rhetorical advantage, as it were supplying him with "spears fitted with throwing straps" (*amentatas hastas*), as well as with treatises and advice (*libellis aut praeceptis*). At *Att.* 5.17.6, Cicero suggests using Brutus as intermediary to Brutus' father-in-law, Appius, to complain about his bad manners.

aristocratic republican women helped to preserve and transmit the purity of the old Latin language by means of their unusually archaic speech:⁴²

auditus est nobis Laeliae C. f. saepe sermo; ergo illam patris elegantia tinctam uidimus et filias eius Mucias ambas, quarum sermo mihi fuit notus, et neptes Licinias, quas nos quidem ambas, hanc uero Scipionis etiam tu, Brute, credo, aliquando audisti loquentem. Brut. 211

I often used to hear Laelia, daughter of C. Laelius, speak, and it was clear that her careful usage was colored by her father's manner, and the same was true of her two daughters, the Muciae, both of whom I have talked with, and of her granddaughters the Liciniae - I have heard both of them; one, Scipio's wife, I imagine that you, too, Brutus, have sometimes heard speak.

Apart from Cornelia, mother of the Gracchi (and she is herself a distant relative, Scipio Aemilianus' mother-in-law), all these women turn out to belong to the same intertwined families. Laelia is daughter of Laelius, while the Muciae and the Liciniae are female relatives of Scaevola and Crassus (see fig. 1). Farrell is reading against the grain of patriarchy in search of specifically female Latin, but has to concede in the end that a woman like Laelia was valued only because her eloquence was like a dowry, "serving as a repository or conduit of correct latinity handed down through her from

⁴² See Farrell 2001: 52-83, especially 65-69. Cf. Quint. 1.1.6.

grandfathers to grandsons.”⁴³ His focus here on the exceptional women who stored and transmitted eloquence makes him underplay the original Ciceronian context, which ultimately reinforces the dynamic role of successive sons-in-law. Wells of eloquence collected around these stagnant females because they were continually being refreshed with new infusions from practicing male orators.⁴⁴ This is not just any family tree: it is a socially cemented stemma for the onward development of Roman rhetoric, from father-in-law to son-in-law.⁴⁵

⁴³ Farrell 2001: 67. Cic. *Brut.* 211 uses a nurturing or even breast-feeding analogy for Cornelia, mother of the Gracchi: “It looked as if her sons were reared not so much in their mother’s bosom as in her speech” (*apparet filios non tam in gremio educatos quam in sermone matris*).

⁴⁴ At *De Or.* 3.133, Crassus lists how to find a husband for a daughter (*de filia conlocanda*) first among practical matters on which a venerable Roman aristocrat might reasonably be consulted.

⁴⁵ Dugan 2005: 178-79: “Cicero locates Latinitas within certain aristocratic families - the Mucii, Laelii, and Catuli – families with whom Cicero, although an Arpinate *nouus homo*, enjoyed close social relations. Cicero thus establishes a linguistic elite parallel to the political oligarchy that he advocated, an exclusive circle with access to these traditions of linguistic purity.” At *Brut.* 98, the orator Publius Crassus adds to his native talent by forging family ties (*affinitate sese deuinxerat*) with another orator, Servius Galba, to whose son he gave his daughter in marriage (*filiam suam*

Yet the very next chapter of *Brutus* appears to wipe out the female contribution completely and read the family tree in a third way. Brutus is marveling at the genetic make-up of Crassus the orator's two grandsons, Crassus and Scipio. Young Scipio, he says, cannot help being a great orator because "his line is born from the very stock of wisdom itself" (Cic. *Brut.* 212: *istius genus est ex ipsius sapientiae stirpe generatum*). After all, his grandfathers were Scipio and Crassus, his great-grandfathers Quintus Metellus Macedonicus, P. Scipio, and Q. Scaevola, and his great-great-grandfathers Scipio and Laelius:

O generosam, inquit, stirpem et tamquam in unam arborem plura genera sic in istam domum multorum insitam atque inluminatam sapientiam! *Brut.* 213

"Truly a noble stock!" said Brutus, "and as on a single tree one may see the fruits of many grafts, so on that house was grafted and shone out the wisdom of many ancestors."

Now, it is all about grandfather-father-son transmission. No mention of the women who helped to make this family tree so *generosus*, nor, at this moment, of the significant *generi*. But Brutus' grafting metaphor reminds us how neatly the ideal son-in-law could dovetail with family aspirations: he gave his new family not just

collocauerat); cf. *Brut.* 127: *Ser. illius eloquentissimi uiri filius, P. Crassi eloquentis et iuris periti gener.*

his genes and resources but a host of noble ancestors for their shared descendants, concentrating them into one and the same stem.⁴⁶

If *De Oratore* opened by highlighting the relationship of Scaevola and Crassus, it ends with a different, unrelated son-in-law. Shortly into Book 2, a new character, Catulus, appears. By the end of Book 3, one reason for his inclusion is revealed. He is there to sing the praises of *his* son-in-law, the brilliant upcoming orator Hortensius, the great hope for the survival of Roman oratory in a time of political crisis (like Isocrates at the end of Plato's *Phaedrus*):

ac uellem, ut meus gener, sodalis tuus, Hortensius adfuisset; quem quidem ego confido omnibus istis laudibus, quas tu oratione complexus es, excellentem fore.

De Or. 3.61.228

⁴⁶ Malcovati 1975 defends *inluminatam* in the Lodi ms and her own Teubner edition (Malcovati 1965) against Badian (1967: 227: “gibberish”) and conjectures such as Cuiacius’ *innatam* and Della Corte’s *inoculatam*: Cicero often uses light imagery to describe the effect of brilliant rhetorical figures (*schemata*) through which inner thoughts shine out (e.g. *Brut.* 141 *in inluminandis sententiis*). Scaevola’s son-in-law Crassus is named as the best Roman practitioner of such figures at *Brut.* 143. NB in a similar coincidence of grafting and luminosity, the Golden Bough is said to shine out (Virg. *Aen.* 6.204 *refulsit*) like mistletoe against its host tree.

I wish my son-in-law, your friend Hortensius, had been here. One day, I trust that he will excel in all the accomplishments that you have included in your speech.

Crassus butts in: “No, he’s already at the top.” He adds that Hortensius will keep Cotta and Sulpicius on their toes; although he tips him to be the best in his generation, it will reflect badly on them if someone so much their junior overtakes (*praecurrere*) them” (*De Or.* 3.61.229, 230). Hortensius keeps pole position for now. But in the longer term, as John Dugan and others have deduced, he is only the pacemaker for an even greater orator – Cicero himself (a relationship that will be renegotiated in *Brutus*).⁴⁷ Valerius Maximus relates that Hortensius, too, had an exceptionally eloquent daughter, Hortensia, who made a brief splash with one impassioned public speech. Significantly, he adds that, had Hortensius’ *male* offspring been prepared to follow his lead, the family’s rhetorical line would not have come to an end so soon:

reuixit tum muliebri stirpe Q. Hortensius uerbisque filiae aspirauit; cuius si uirilis sexus posterius uirum sequi uoluissent, Hortensianae eloquentiae tanta hereditas una feminae actione abscissa non esset. Val Max. 8.3.3

⁴⁷ Dugan 2005: 171 (cf. *De Or.* 3.97 *aliud quiddam maius*); Achard 1987: 323; Goldberg 1995: 5-12; Hinds 1998: 63-74.

Then did Q. Hortensius live again through his female offspring and breathe again in the words of his daughter. If his male descendants had chosen to follow her example, the great heritage of Hortensian eloquence would not have been cut short with a single speech by a woman.

How should we read Cicero's repeated emphasis on the son-in-law relationship?⁴⁸ Surely not just as a record of a historical phenomenon, that a particular swathe of great Roman orators happened to be entwined through marriage. It must also be the freedom of choice that these relationships entailed for the wife's family, their potential to refresh existing stock with recourse not to biological sameness (even adopted sons were often close relatives) but to merit and new blood (even if often the same old aristocratic blood).⁴⁹ Such a strategy of renewal, focused on rhetorical talent, would doubtless appeal even more to the *novus homo* who relied on his gifts and his training, a man who, Dugan claims, "co-opts the representational modes of the aristocracy and claims that all instances of greatness are legitimate templates for his imitation."⁵⁰

⁴⁸ At *Att.* 12.5b (316 SB) he is at pains to affirm that Fannius was, after all, Laelius' son-in-law (after being wrongly corrected by Atticus).

⁴⁹ Cf. *Stat. Silv.* 2.1.87-88 *natos genuisse necesse est, elegisse iuuat*, "Children are born out of necessity, but chosen for pleasure."

⁵⁰ Dugan 2005: 11.

Still, Cicero never made the grade himself.⁵¹ He is an absent presence in *De Oratore*, an unnamed figure among the promising young men who sit at their masters' feet.⁵² As Erik Gunderson sees it, they are all there looking for a father-figure: "As a silent observer in *De Oratore*, Cicero is most like Sulpicius, the student in search of a father and an identity as an orator... Mimetic reproduction locks Crassus, Cicero, Sulpicius, and Brutus in a mutually determining relationship of fathers and sons who each vouch for the legitimacy of the other."⁵³ Left outside this system in real life, Cicero writes alternative family trees, hagiographies of the men who formed him, a "parade of *maiores*" (as Dugan puts it), fashioned in his own image: "Like Napoleon, Cicero can proclaim himself to be his own ancestor."⁵⁴ "Fathers and sons" is the trope both scholars prefer, but ultimately it is not much more than a metaphor for rhetorical paternity and filiation. By contrast, "father-in-law and son-in-law," in the idealized space of these dialogues, means rather more than that. It is also the legitimate social reality that binds exceptional men together.

⁵¹ In *De Oratore*, as Dugan 2005: 94-95 points out, Cicero pushes the bonds of friendship instead, grasping at quasi-familial links with Crassus and Antonius through his various uncles, who he claims were among their closest companions.

⁵² Cic. *Att.* 13.19.4 (326 SB).

⁵³ Gunderson 2000: 219.

⁵⁴ Dugan 2005: 93; Gunderson 2000: 219.

Is Cicero not so much in search of a father, then, as of a father-in-law? And perhaps also of a son-in-law of whom he might be proud?⁵⁵

Incidentally, there is one passage in *De Oratore* which does offer exactly the right metaphors for the context. Marcus Antonius has noticed a generational divide between Scaevola, bastion of traditional Roman legal wisdom, and his son-in-law Crassus, with his fancy foreign rhetorical training:

cuius artem cum indotatam esse atque incommitatam et incomptam uideres, uerborum eam dote locupletasti et ornasti. ... sed uide, Crasse, ne, dum nouo et alieno ornatu uelis ornare iuris ciuilis scientiam, suo quoque eam concesso et tradito spolies atque denudes.

De Or. 1.55.234, 235

[Scaevola's] *art, which you saw to be portionless, unaccompanied and unadorned, you have enriched and adorned with a dowry of words....But do take care, Crassus, when you try to embellish the doctrine of civil law with new and foreign adornment, not to despoil and strip it of its legitimate inherited wealth.*

Tellingly, Antonius credits Crassus with taking Scaevola's style of speaking and enriching and adorning it with a "dowry of words," as though he were a

⁵⁵ Cicero did dedicate *Partitiones Oratoriae* and *De Officiis* to his son Marcus, as translator of Greek learning and moral guide; LeMoine 1991: 348-49, 351, 353.

bridegroom enriching an impoverished bride. Yet in his next breath, he goes on to warn Crassus that, in his haste to improve the simple doctrine of civil law, he runs the risk of stripping this new bride of her legitimate inheritance. On display here are alternate scenarios of what we could call “the son-in-law effect”: in the first case, Crassus the suitor improves on the status quo, in the second, he damages it. Not only do these scenarios unfold against a background of real-life such alliances, but Antonius’ remark leads almost guilelessly straight into a discussion of various marriage-related legal disputes.⁵⁶

If *De Oratore* is framed by the imminent death of Crassus and the rise of Hortensius, then *Brutus* is launched by Hortensius’ death. Cicero chooses to put his immediate rhetorical rival in the position of a substitute father (*Brut. 1 in parentis loco*), framing his work as a dutiful repayment to the (slightly) older man who had, for one thing, introduced him into the augural college. The augural college, we

⁵⁶ *De Or.* 1.237-42. Duncan MacCrae points out to me that, while *De Oratore* depicts rhetorical expertise being transmitted from fathers-in-law to sons-in-law, the legal knowledge of the Scaevolae appears to have passed more straightforwardly down the father-son line. These different family patterns nicely express the distinction that is so important to the treatise between external rhetorical enhancement and the unadorned, “inherited” knowledge of Roman law (e.g. *De Or.* 1.244: Mucius Scaevola is described as *paterni iuris defensor et quasi patrimonii propugnator*, “upholder of his ancestral science, and champion, as it were, of his inheritance”).

recall, had played its part in Laelius' promotion of Q. Mucius Scaevola, who indeed became known as Scaevola Augur, a story that will be told later in this very text (*Brut.* 101). Perhaps this is Cicero's indirect way of suggesting an opportunity missed: by the rights of rhetorical succession, *he* might have stood to become Hortensius' son-in-law. But Hortensia, lone carrier of the family's rhetorical genes, married an aristocratic cousin instead (Q. Servilius Caepio, uncle to Brutus). Curiously, this is not the only failed courtship scene buried in the dialogue. In the background, unmentioned, lies an old squabble over Cato the Younger's daughter, Porcia. Hortensius had once asked to marry her, in order to breed from her good genes. But Cato pointed out that he was twice her age and famously lent Hortensius his own wife, Marcia, on a temporary basis, before betrothing Porcia to his nephew Brutus instead.⁵⁷

Hortensius, we learn, died just a few days before he was supposed to join Brutus in the legal defense of Brutus' own ex-father-in-law, Appius Claudius (*Brut.* 324). Evidently, sons-in-law could be advocates for their fathers-in-law in court: we can add that to their social functions. But could they also give their funeral orations? Cicero's "death notice" for Hortensius here looks very like another kind of surrogate "son-in-law" discourse. Indeed, in John Dugan's view: "[T]he *Brutus* functions like a

⁵⁷ App. BC 14.99; Luc. BC 2.327-8; Plut. *Cato Minor* 25, 73.4.

laudatio funebris over the corpse of Roman oratory.”⁵⁸ If aristocratic rules decreed that a grown-up son, or other relative, would give the *laudatio*,⁵⁹ who better to give a double eulogy for Hortensius *and* Roman oratory than a self-appointed successor in the very sphere in which the dead man had excelled, Cicero, the man destined to supplant him, after he had peaked early and withered early, just like the garden (*hortus*) contained in his name?⁶⁰ Daughter Hortensia stepped in to fill the rhetorical gap after her father’s death because, says Valerius Maximus, there were no adequate

⁵⁸ Dugan 2005: 173-74: “Cicero introduces the essential generic elements of the funeral oration (the praising of one’s *maiores*, establishing genealogical connections, and a protreptic to the younger generation) ... Moreover, he uses the recent death of his rival Hortensius as a focal point for the *Brutus*’ more general keening for the whole of Roman oratory.”

⁵⁹ Polyb. 6.53.2: “a grown-up son, if he has left one who happens to be present, or if not some other relative.” Conversely, if a son-in-law died prematurely, his father-in-law might oblige: Augustus gave a *laudatio funebris* (P. Köln 10) for Agrippa, his “partner in empire,” ἀρχῇι συνάρχων (Koenen 1970: 239-43); also mentioned in the speech are Agrippa’s own sons-in-law Tiberius Nero and Quintilius Varus.

⁶⁰ The arc of Hortensius’ rhetorical career is described in vegetal metaphors: *Brut.* 303 *florescente*, *Brut.* 317 *deflorescentem*.

male descendants.⁶¹ But there was also no son-in-law to carry on the tradition, more decorously than any daughter could.

Cicero is entirely silent about Hortensia, but standing in for her in *Brutus* is the clear outline of another female, one whose virtue is as fiercely guarded as that of any Roman daughter. This is the allegorized figure of Eloquence, characterized and gendered as a human female throughout the dialogue: first as memorably (and paradoxically) silenced (22 *eloquentia obmutuit*), next as a nursling of Athens (45 *quasi alumna quaedam*), then as an unguarded female on the loose, a promiscuous migrant, tainted by her travels through the Greek islands and Asia (51).⁶² In the event, Cicero decrees that she needs to be locked up at home, kept chaste and Roman by male guardians:

⁶¹ At *Ann.* 2.37-38, Tacitus recounts the appeal to Tiberius for financial support made by Hortensius' grandson, M. Hortalus, on the grounds that it had been Augustus who persuaded him to start a family, in order to save his distinguished but declining house (thanks to Dylan Sailor for reminding me of this episode). Hortalus speaks at 2.37.3 of his failure to inherit or acquire, among other goods, the family birthright (*gentile domus nostrae bonum*): eloquence; see Geiger 1970 and Corbier 1991b.

⁶² *Brut.* 51: *omnis peragrauit insulas atque ita peregrinata tota Asia est, ut se externis oblineret moribus omnemque illam salubritatem Atticae dictionis et quasi sanitatem perderet ac loqui paene dediceret*. Stroup 2003: 129-39 (= Stroup 2010: 251-65) follows her peregrinations through the dialogue.

nos autem, Brute, quoniam post Hortensi clarissimi oratoris mortem orbae eloquentiae quasi tutores relictis sumus, domi teneamus eam saeptam liberali custodia et hos ignotos atque impudentis procos repudiemus tueamurque ut adultam uirginem caste et ab amatorum impetus quantum possumus prohibeamus.

Brut. 330

As for us, Brutus, with the death of Hortensius we are left to be the guardians of orphaned Eloquence: let us keep her within our own walls, protected by a custody worthy of her liberal lineage. Let us repel the pretensions of these upstart, impudent suitors, and guard her purity, like that of a virgin grown to womanhood, and, so far as we can, shield her from the advances of admirers.

Cicero makes his Eloquence an orphan exactly at the point when Hortensius dies, thus eliding the abstract quality with the dead man's actual daughter. Having missed the boat to become Hortensius' son-in-law, he embraces a role far more suitable for his age: guardian (*tutor*) of a virgin ward in a walled garden (*saeptam*).⁶³ If he cannot have her (and one theory is that Cicero sees himself as the long-awaited bridegroom of eloquence), then no other "impudent upstarts" (*ignotos atque impudentis*; i.e. no "new men") can have her either – with Cicero now firmly on the

⁶³ Gowing 2000: 59 sees a hint of the *imagines* stored in a noble house here, in line with the funerary and memorializing impulse of the dialogue.

side of gentility (cf. *liberali custodia*).⁶⁴ This story of Eloquence as a vulnerable orphan far from her Attic origins is familiar from lost girls in comedy, Terence's Glycerium in *Andria*, above all.⁶⁵ But it also matches Cicero's own autobiography in this dialogue, as someone who traveled from master to master in Greece and Asia and who can be identified (and legitimated) by signs of identity, like "birthmarks and rattles":⁶⁶

nunc quoniam totum me non naeuo aliquo aut crepundiis sed corpore omni uideris
uelle cognoscere... *Brut.* 313

*But since you seem to want to know me not by birthmarks or rattles but taking into account
my whole body....*

Most bizarrely of all, in the very year *Brutus* was written, Cicero galloped to a real maiden's rescue: he actually married his fifteen-year-old ward, Publilia – an extreme

⁶⁴ Stroup 2003: 136n.55 notes a reader's suggestion that Eloquentia is a Penelope-figure waiting for Cicero, her "lawful spouse." Stroup 2010: 258 compares Dionysius of Halicarnassus' *On the Ancient Orators* (1), where Asian rhetoric is personified as "some crazed prostitute" who displaces the ancient indigenous Attic Muse.

⁶⁵ Ter. *An.* 923-24.

⁶⁶ Dugan 2005: 232-33.

way of protecting a flesh-and-blood girl from other suitors.⁶⁷ Meanwhile, his fictive Eloquentia had to remain an eternal spinster (*adulta uirgo*).

For all his outsider's fantasies about combining rhetorical succession with absorption into the great families of Rome, the reality of Cicero's in-law relationships was very different. He married up, unsurprisingly. His first wife Terentia came from a plebeian noble family; the marriage lasted thirty years till their weary divorce.⁶⁸ Given that Terentia's family's most famous branch was that of the Terentii Varrones of Reate, perhaps this was also Cicero's best approximation to forging a link with another of his culture heroes, M. Terentius Varro. Some consolation, then, for the chances missed with those famous orators he presents as mirrors or paler versions of himself.⁶⁹ In a letter to Atticus, we learn that Varro had long promised to dedicate "a major and important work" (what turned out to be the larger part of *De Lingua Latina*) to Cicero. Tired of waiting, Cicero decides to jump the gun and dedicate his *Academica* to Varro, adding that he had already promised to dedicate *De Finibus* to Brutus:

⁶⁷ The piquancy of the timing in relation to Eloquentia is noted by Stroup 2003:

136n.54.

⁶⁸ Treggiari 2007.

⁶⁹ He does much in *De Oratore* to push the bonds of friendship instead, grasping at quasi-familial links with Crassus and Antonius through his various uncles, who he claims were among their closest companions (Dugan 2005: 94-95).

nunc illam περὶ Τελῶν σύνταξιν sane mihi probatam Bruto, ut tibi placuit,

despondimus.

Att. 13.12 (320 SB)

As it stands, I have promised De Finibus, which I'm quite pleased with, to Brutus, following your advice.

When Cicero wants to say “dedicate to Brutus,” he uses the verb *despondere*, a verb he more regularly uses of betrothal – as Sarah Stroup has observed.⁷⁰ In her words: “Cicero has forged a system of isonomic exchange in which textual embodiments of eloquence are to be traded back and forth in the manner of young women betrothed (*despondere*) in the self-interested agreements of their fathers... texts are exchanged in terms of elite marriage agreements.”⁷¹ Again, this brings us close to the idea of quasi-

⁷⁰ Stroup 2003: 139n.59 (= Stroup 2010: 263n.75). See also McCutcheon 2016 on the gendered circulation of Ciceronian texts.

An unpublished work is called ἀνέκδοτον, “unmarried,” at Att. 14.17.6 (471 SB).

⁷¹ Stroup 2003: 139 (= Stroup 2010: 263-64). By contrast, Quint. 6 pr. 1 uses the language of bequest in his wishful dedication of *Institutio oratoria* to his dead sons: *hanc optimam partem ... hereditatis*. See LeMoine 1991: 353-55 on Cicero’s use of *munus* (“service,” “duty,” “tribute,” “gift,” or “work”) and *remunerari* in works dedicated to his son (*Partitiones, De Officiis*); *ibid.* p. 357 on Boethius’ dedication of *De Arithmetica*, twice called a *munusculum*, to his father-in-law/foster-father Symmachus.

“son-in-law” literature, with written texts specifically framed as non-material exchange between men united by real or imaginary alliances.⁷² Months after marrying Publilia, Cicero is cowering at home, facing a visit from her irate mother, living the reality of being a Roman son-in-law.⁷³ His role on the page, as stand-in or rejected suitor, may have fitted him rather better; after all, it left him free-floating to pursue many different associations.

As for creating his own ideal son-in-law, the letters to Atticus provide a fascinating account of developments around 51-50 BC in the remarriage of Cicero’s daughter Tullia, no secluded virgin but a two-time divorcee. The women of the various families concerned, including the bride, are surprisingly active in the brokering, while Cicero, far away in Cilicia, has little control over the situation.⁷⁴ At

⁷² On *destinare* in Tacitus, see below.

⁷³ *Att.* 12.32 (273 SB).

⁷⁴ *Att.* 5.4.1 (97 SB).

one point, as many as three suitors are in play.⁷⁵ But Tullia and her mother drop a bombshell.⁷⁶ Cicero writes to Atticus in a state of shock:

⁷⁵ “Beggars can’t be choosers” (*inopia cogimur eo contenti esse*) is Cicero’s comment on one Servius (*Att.* 6.6.1). For all his friend’s social climbing, Atticus recommends a “clogs to clogs” alliance with a non-senatorial family (*Att.* 6.1.10: *uellem te in tuum ueterem gregem rettulisses*); Atticus himself would become *adfinis* to emperor Augustus through his granddaughter Vipsania Agrippina, Tiberius’ wife (*Nep. Att.* 19.2).

⁷⁶ Jeppesen-Wigelsworth 2016 points to Tullia’s political sagacity in choosing a pro-Caesarian husband and interprets Cicero’s repeated emphasis on Dolabella’s personal charm as a front to cover his own embarrassment and downplay Tullia’s intelligence. If it is true that that co-magistracies were frequently consolidated by marriage ties (Bush 1982: esp. 183-222), it is worth noting that Dolabella’s ancestor, Gn. Cornelius Dolabella, was consul in 81 BC during Sulla’s regime with one *M. Tullius* Decula (*App. BC* 1.11.100). Bush argues (p. 210) that Dolabella’s relationship to Cicero accelerated his career: the anomaly of 44, when neither consul, Caesar and Antony, had previously been praetor, and Caesar was succeeded by Dolabella, also a non-praetor, can be explained away by remembering that Antony was son-in-law to Hybrida and Dolabella son-in-law to Cicero, both praetors in 66; *manus* equivalence rules thus made Antony and Dolabella equivalent to praetors of 66.

ego dum in prouincia omnibus rebus Appium orno, subito sum factus accusatoris eius socer. 'id quidem' inquis 'di approbent!'. ita uelim, teque ita cupere certo scio. sed crede mihi, nihil minus putaram ego, qui de Ti. Nerone, qui mecum egerat, certos homines ad mulieres miseram; qui Romam uenerunt factis sponsalibus. sed hoc spero melius. mulieres quidem ualde intellego delectari obsequio et comitate adulescentis. cetera noli ἐξακανθίζειν.

Att. 6.6.1 (121 SB)

Here am I in my province paying court to Appius, when overnight I find myself becoming father-in-law to his prosecutor [i.e. Dolabella]! "Heaven help you," you'll say. Exactly, and I'm sure you wish me luck. Believe me, it was the last thing I expected. I actually sent reliable messengers to the ladies in connection with Tiberius Nero, with whom I'd had dealings. By the time they reached Rome, the engagement party was over. However, I hope this business will work out better than it might. The ladies clearly adore the boy's attentiveness and his charming manners. As for the rest, don't you go splitting hairs ...

Overnight (*subito*), he has found himself becoming a father-in-law (the passive *sum factus*... *socer* says it all) to none other than Caesarian bad boy Dolabella, whose political activities cut across all Cicero's existing networks of obligation. No sooner does he withdraw from the breakdown in kinship between Caesar and Pompey than

he sees it mirrored in his own family life.⁷⁷ Macrobius records another of Cicero's jokes on the subject. Asked by Pompey, "Where's your son-in-law?", he quipped, "With your (ex)-father-in-law [Caesar]."⁷⁸

Despite his obvious defects, the young man turned out to be most agreeable:

gener est suavis mihi, Tulliae, Terentiae; quantumuis uel ingeni uel humanitatis;
†satis†; reliqua, quae nosti, ferenda. Att. 7.3.12 (= 126 SB)

The son-in-law's charming - Tullia, Terentia and I all think so. He's very talented, very friendly: that'll do for now. The other stuff you know about we'll just have to put up with.

But the marriage did not last: Cicero was unable to tie *this* son-in-law to a sword, in fact had to watch and praise his meteoric rise from a painful distance.⁷⁹ When

⁷⁷ See Martelli 2016: 415-16, who notes that at Att. 11.3.1 it only gradually becomes clear that Cicero's reference to a rift (*abruptio*) applies to Dolabella and Tullia's breakup rather than to Caesar and Pompey's.

⁷⁸ Macr. Sat. 2.3.8: *deinde interroganti Pompeio ubi gener eius Dolabella esset [Cicero] respondit: "cum socero tuo."*

⁷⁹ Gunderson 2016: 537-40 tracks Cicero's intense envy of his son-in-law through the letters to Varro in *Ad Familiares* 9 (46 BC, the year of *Brutus*): e.g. Fam. 9.7.2 (178 SB): *eum puto magistrum fore* "I think he [my ex-student] is becoming my teacher"; cf.

πολλοὶ μαθηταὶ κρείσσονες διδασκάλων [TGF 107 Nauck], "Many students are their

Dolabella seized the consulship in 44 BC (after Tullia's divorce and death), Cicero even tried to capitalize on a reverse flow of prestige:

a te autem peto ut me hanc quasi falsam hereditatem alienae gloriae sinas cernere meque aliqua ex parte in societatem tuarum laudum uenire patiari. quamquam, mi Dolabella (haec enim iocatus sum), libentius omnes meas, si modo sunt aliquae meae, laudes ad te transfuderim quam aliquam partem exhauserim ex tuis.

Fam. 9.14.4 (326 SB)

Do allow me to claim this fraudulent legacy of another man's glory, and permit me to have a little shared part in your success. And yet, dear Dolabella - I was only joking: I would rather

teachers' superiors" (painful when Dolabella is winning outside the classroom, too).

The letters to Dolabella of 45-44 BC continue in the same relentlessly jokey vein, never mentioning what the two men have in common: Tullia, now Dolabella's ex-wife (Gunderson 2016: 539-40). In the original design of Book 9, the letters to and from the rising son-in-law (grouped en bloc) follow right on from those to the superannuated "father-in-law", Varro (on the latter, see also Leach 1999). At *Fam.* 9.8.1 (254 SB), Cicero tells Varro he is dedicating the *Academica* to him "to advertise their *coniunctio* in love and shared interests through the medium of letters"; at *Fam.* 9.9.1 (157 SB), Dolabella reminds Cicero that he urged him to join (*coniungere*) Caesar – out of *pietas* as a son-in-law.

give you a full transfusion of all my reputation - such as it is - than drain off any part of yours.

Claiming from his former rhetorical pupil what he calls a “fraudulent legacy of another man’s success” (*falsam hereditatem alienae gloriae*), he saves face: he was only joking. Using metaphors of fluidity that suggest either blood or water, he insists that he would far rather divert (*transfuderim*) all his resources to his son-in-law than draw (*exhauserim*) any of the younger man’s to himself.⁸⁰ Again, the anxiety about which way the advantage should flow is telling.

If Cicero’s supporting letters from Cilicia had not been held up in the mail, Tullia might have ended up married to her father’s preferred candidate instead: one Tiberius Nero. As John Collins, who in the 1950s followed the Dolabella debacle through the *Letters to Atticus*, writes: “Although history cannot deal in ‘ifs,’ it is hard not to speculate on the great changes that might have resulted if only those messengers had met with more favorable winds.”⁸¹ Why? Because this Tiberius Nero was promptly snapped up by Livia Drusilla, by whom he became the father of emperor Tiberius, grandfather of Germanicus and Claudius, and great-grandfather of Caligula and Claudia Octavia, wife of emperor Nero. Tiberius Nero could not have known it at the time, but his cooperation in giving up pregnant Livia to

⁸⁰ *Fam.* 9.14.4 (326 SB).

⁸¹ Collins 1952: 164-16, 186, esp. 167-68.

Octavian yielded rich dividends. As Mireille Corbier concludes: “No more classical marriage strategy could better have ensured the place of the direct sons of Ti. Claudius Nero on the political chessboard.”⁸²

Tacitus

History cannot deal in ifs: but what if it could? Tiberius Nero and his descendants bring me nicely to my second author. The feud between Caesar and Pompey that overshadowed all Cicero’s family dealings changed Roman history for ever. From the other side of the abyss, Cornelius Tacitus considers sons-in-law as tools of succession not just in private families but also in imperial ones; the stakes and possibilities involved are correspondingly higher. There is another respect, too, in which he differs from Cicero: for him, being a real-life son-in-law was a central part of his identity as writer and politician. After all, he leaves us the most perfect example of “son-in-law literature” to survive from antiquity⁸³ – a pious

⁸² Corbier 1991a: 60.

⁸³ Another candidate is Seneca’s *De Brevitate Vitae*, dedicated to one (Pompeius) Paulinus, a *praefectus annonae*, who may well have been Seneca’s wife Paulina’s father. There are possible tensions at *Brev.* 5.2 (which explores Cicero’s response to the growing conflict of Pompey and Caesar) and 20.3 (the last chapter: a vignette of an old man who refuses to retire but collapses on the job, causing mirth in his long-suffering heir). Boethius dedicated *De Trinitate* and *De Arithmetica* to his father-in-

commemoration of the virtues and *res gestae* of his wife Julia's father, Agricola, in which he expresses guilt at their forced absence from his deathbed (thanks to a foreign posting; Ag. 45.5) and cautious joy that biography can once again be written following Domitian's reign of terror:

hic interim liber, honori Agricolae soceri mei destinatus, professione pietatis aut laudatus erit aut excusatus. Ag. 3.3

In the meantime this book, dedicated out of respect to my father-in-law Agricola, will as an expression of family loyalty be either commended or excused.

Dylan Sailor is confident about the function of *this* work: *Agricola* is a substitute for "the funeral eulogy Tacitus was prevented from delivering for his father-in-law."⁸⁴ We know from Pliny that funeral orations were Tacitus' forte: as consul, he would deliver the eulogy for the dead general Verginius Rufus, a *laudator eloquentissimus* (Pliny, *Ep.* 2.1.6). Since Agricola's two sons had died young, a detail Tacitus is careful to mention (at Ag. 6.2 and again at 29.1), a distinguished son-in-law was the

law/former foster-father, Symmachus; LeMoine 1991: 356-57. Sulpicius Victor (4th C. AD) dedicated *Institutiones Oratoriae* to his son-in-law, Milo.

⁸⁴ As well as "the triumph the tyrant would not award Agricola" (Sailor 2008: 52).

obvious replacement. As Sailor puts it, Tacitus is “sole male heir to Agricola’s legacy.”⁸⁵

But Tacitus’ consciousness of being a son-in-law is something that feeds into the rest of his historical writing, too. It is a role on which he often reflects in a more abstract way. Take the harsh chiasmus that expresses the stand-off between two German chieftains:⁸⁶

gener inuisus inimici soceri; quaeque apud concordēs uincula caritatis, incitamenta irarum apud infensos erant. Ann. 1.55.3

A son-in-law detested by his hostile father-in-law; whatever bonds of love exist between like-minded relatives soon become incentives to fury if they are bitter enemies.

Or take the snide remark about Claudius being ready to believe rumors about his daughter’s fiancé because loving one’s daughter can make one all the more suspicious of one’s son-in-law:⁸⁷

⁸⁵ Sailor 2008: 109n.130.

⁸⁶ Arminius had run away with Segestes’ daughter Thusnelda, who was betrothed to another man.

⁸⁷ Tac. *Ann.* 4.22.1 records L. Apronius’ prosecution of his son-in-law Plautius Silvanus after the suspicious death of his daughter Apronia; at *Ann.* 6.30.2 Apronius is better disposed to his other son-in-law, Gaetulicus.

et praebebat Caesar aures, accipiendis aduersus generum suspicionibus caritate
filiae promptior. Ann. 12.4.2

*And Claudius gave him his ear, all the readier to entertain suspicions against his son-in-law
because of his love for his daughter.*

Above all, haunting Tacitus' works and piquing his sense of inadequacy is the most uncompromising father-in-law/son-in-law relationship of his lifetime: that of the Stoic philosophers Thrasea Paetus and Helvidius Priscus, the first put to death under Nero, the second under Vespasian.⁸⁸ Thrasea had even taken the name Paetus from his father-in-law, the condemned dissident Aulus Caecina Paetus.⁸⁹ In the preface to *Agricola*, Tacitus relates how Domitian's execution of the philosophers' biographers stood as a harsh warning to those like himself who followed in their footsteps.⁹⁰ As Tim Whitmarsh understands it, the *Agricola* is a painfully ambiguous text. While it

⁸⁸ Sailor 2008: 15-24.

⁸⁹ Birley 2000. The pattern is spotted by Murray 1915; cf. Bush 1982: 98. An inscription from the Via Nomentana suggests that Tacitus styled himself P. Cornelius Tacitus *Caecina Paetus*; Alföldy 1995.

⁹⁰ Arulenus Rusticus and Herennius Senecio. Once Domitian's terror was over, fainter-hearted souls like Tacitus and Pliny limped out of the woodwork and started claiming kin with the martyrs; Freudenburg 2001: 215-34.

praises the father-in-law, it also dwells almost masochistically on the polar opposite to his and Tacitus' collusion with Domitian: righteous, aggressive, self-sacrificing confrontation by the martyrs and their acolytes.⁹¹ *Agricola*, he writes, "enacts a rhetoric of compliance; but in doing so, it points up the array of choices, exposes the roads not taken."⁹²

The example of Thrasea and Helvidius also hangs heavily over the *Histories*, underscoring what Tacitus and *Agricola* failed to achieve together. In an early digression, Tacitus lists some rare cases of noble behavior in an era largely devoid of it. Most of the cryptic generalities here can only refer to the martyrs and their families:⁹³

⁹¹ On Tacitus' attempt to claim kin with eulogists Cicero, Thrasea, Rusticus, and Senecio, while making his *Agricola* follow dissidents Cato, Thrasea, and Helvidius, see Lausberg 1980: 425.

⁹² Whitmarsh 2006: 324.

⁹³ The spouse who followed her husband into exile is Helvidius Priscus' wife, Fannia; Arria, Paetus' wife, was exiled in her own right, along with her husband's biographer's wife, Verulana Gratilla (Plin. *Ep.* 3.11.6, 9.13.5). Fannia also qualifies for "brave relative," in having commissioned her husband's biography.

non tamen adeo uirtutum sterile saeculum, ut non et bona exempla prodiderit:
comitatae profugos liberos matres, secutae maritos in exilia coniuges; propinqui
audentes, constantes generi, contumax etiam aduersus tormenta seruorum fides...

*That era was not so bare of virtue that it did not yield exemplary behavior, too: mothers
accompanying their refugee children, wives following their husbands into exile; brave
relatives, steadfast sons-in-law, defiantly loyal slaves, even under torture... H. 1.3.1*

Of *constantes generi*, “steadfast sons-in-law”, Cynthia Damon comments: “The particularity of *generi* is odd – why not sons or brothers?”. The discreet allusion is of course to none other than Helvidius Priscus, exiled following his father-in-law’s conviction (*H. 4.6.1 ruina soceri in exilium pulsus*; cf. *A. 16.35.1*). Later, in *Histories 4*, Tacitus pauses to give a sketch of this ideal son-in-law:⁹⁴

quaestorius adhuc a Paeto Thrasea gener delectus e moribus soceri nihil aeque ac
libertatem hausit, cuius senator, maritus gener amicus, cunctis uitae officiis
aequabilis, opum contemptor, recti peruicax, constans aduersus metus. *H. 4.5.2*

*While still of quaestor’s rank, he was chosen by Thrasea Paetus as his son-in-law, and drew
from his father in law’s way of life nothing so much as his spirit of free speech; a citizen,*

⁹⁴ His noble attempt to prosecute Thrasea’s detractors on his return from exile is set against the abject fawning of Valerius Asiaticus on *his* father-in-law, Vitellius (*H. 4.4.3*).

senator, husband, son-in-law, friend, reliable in all life's responsibilities, he despised wealth, held fast to virtue, was steady against the prospect of danger.

Once again, Helvidius' primary virtue is his reliability, *constantia* (here, *constans aduersus metus*). Each time it is mentioned, this exemplary attribute conceals anxiety, not just about the potential *unreliability* of sons-in-law in general but also perhaps Tacitus' own inability to "be there" for Agricola. Note that Helvidius is not just an admirable citizen, senator, husband, son-in-law, and friend: he is also a despiser of wealth, thus not a drain on his adoptive family's resources. All that he siphons off (*hausit*) from Thrasea Paetus is his instinct for free speech (*libertas*). The very same verb, *haurire*, was earlier used of Agricola, but in the context of his arrested intellectual development:

memoria teneo solitum ipsum narrare se prima in iuuenta studium philosophiae
acrius, ultra quam concessum Romano ac senatori, hausisse, ni prudentia matris
incensum ac flagrantem animum coercuisset. Ag. 4.3

*I recall that he would often tell how in his youth he [Agricola] would have drunk more
fiercely of philosophy than is permitted to a Roman of senatorial rank, if his prudent mother
had not restrained his ardent impulses.*

Agricola would have drunk deep from the wellspring of philosophy (*hausisse*) if this early thirst had not been “held back” (*retinuit*) by his cautious mother – a formative moment, Whitmarsh points out, that is reflected in the text’s own holding back.⁹⁵

Finally, the martyrs allow Tacitus an imaginative outlet for survivor’s guilt. When Thrasea Paetus goes to his death in *Annals* 16, his expression is one of joy. Why? Because he has just learned that his son-in-law will live and only have to go into exile:

laetitiae propior, quia Helvidium generum suum Italia tantum arceri cognouerat.

Ann. 16.35.1

He looked closer to joy, because he had learned that Helvidius his son-in-law was only going to have to leave Italy.

Just so, at the end of *Agricola* Tacitus offers Agricola the consolation that he died knowing that his in-laws and friends would survive unharmed:

filia atque uxore superstitibus potest uideri etiam beatus incolumi dignitate, florente fama, saluis adfinitatibus et amicitiiis futura effugisse. *Ag.* 44.4

⁹⁵ *Ag.* 4.3. See above on *exhauserim* in *Cic. Fam.* 9.14 (326 SB).

With his daughter and wife surviving him, [Agricola] can be thought of as being fortunate in having escaped the future with his position intact, his reputation in good shape and his in-laws and friends safe.

Two plural abstractions, *adfinitatibus et amicitiiis*, suggest a hendiadys with one obvious single referent: Tacitus himself.⁹⁶

Above all, it is the part played by sons-in-law in the process of dynastic succession that occupies Tacitus most pressingly. As a senator, Terentius, says of a now disgraced Sejanus:

non enim Seianum Vulsiniensem set Claudiae et Iuliae domus partem, quas adfinitate occupauerat, tuum, Caesar, generum, tui consulatus socium...

Ann. 6.8.3

We didn't pay court to him as Sejanus from Vulsinii, but as a member of those Claudian and Julian houses into which his alliances won him entry; your son-in-law, Caesar, the partner of your consulate...

Turn to the start of *Histories* I and its gradual striptease of the workings of political power, and sons-in-law can be found shimmering behind the transmission of empire

⁹⁶ See Woodman and Kraus's gloss: "relations by marriage [almost 'in-laws'] and friends."

in the chaotic years after Nero's death. The opening clause, *Initium mihi operis Seruius Galba iterum Titus Vinius consules erunt*, "I will start my work with the second consulship of Servius Galba and his colleague Titus Vinius," famously screens the "imperial and dynastic realities" that underlie a republican, annalistic formula.⁹⁷ The two-time consul is of course also the current emperor. As early as chapter 13, however, it is revealed that Titus Vinius is the dominant partner in a triumvirate of powers behind the throne, along with the prefect of the praetorian guard and Galba's favorite freedman:

potentia principatus diuisa in Titum Vinium consulem Cornelium Laconem praetorii praefectum; nec minor gratia Icelo Galbae liberto... H. 1.13.1

The power of the principate was divided between Titus Vinius the consul and Cornelius Laco the prefect of the praetorian guard; Icelus, Galba's freedman, had no less influence ...

By the end of that chapter, Vinius is already supporting future emperor Otho as Galba's successor. Tongues wagged that, since his daughter had no husband and Otho was single, what began as friendship would, as so often, be cemented by marriage:

⁹⁷ Damon 2003 *ad loc.*

neque erat Galbae ignota Othonis ac Titi Vinii amicitia; et rumoribus nihil silentio transmittentium, quia Vinio uidua filia, caelebs Otho, gener ac socer destinabatur.

H. 1.13.2

Nor was Galba unaware of the friendship between Otho and Titus Vinius; and thanks to the rumors that flew about, leaving nothing unsaid, they were lined up to be each other's father-in-law and son-in-law, since Vinius' daughter had no husband and Otho was unmarried.

"They were intended for each other as son-in-law and father-in-law," Tacitus puts it, using *destinare*, the very verb he used to dedicate his earlier work to the memory of Agricola, just as Cicero had used the reciprocal *despondere*.⁹⁸

In the event, Galba stages a coup by deciding to appoint his own chosen successor, Piso, in what has been seen as a crucial endorsement by Tacitus of Nerva's decision to adopt Trajan from outside the royal family. Otherwise, why does Galba give such an extended and rousing rationale for his decision, detailing both earlier precedent (childless Augustus' various adoption measures from within his extended

⁹⁸ Cf. Tac. Ann. 3.29.4 *quod filio Claudii socer Seianus destinaretur*, "on the grounds that Sejanus was designated father-in-law to Claudius' son [Drusus]." Woodman and Martin note that *destinare* is normally used of a bride-to-be; another exception is Quint. 6 (to his dead son) *praef.: te auunculo praetori generum destinatum*, "you were destined to be the son-in-law of your uncle the praetor."

family) and then his own originality in adopting a worthy but completely unrelated candidate?

... exemplo diui Augusti qui sororis filium Marcellum dein generum Agrippam mox nepotes suos postremo Tiberium Neronem priuignum in proximo sibi fastigio conlocauit. sed Augustus in domo successorem quaesiuit, ego in re publica ...

H. 1.15.1

... following the example of the Divine Augustus, who brought his sister's son Marcellus, then his son-in-law Agrippa, then his grandsons, and finally Tiberius Nero his stepson into close proximity to the throne. But whereas Augustus was looking for an heir within his family, I am looking for an heir in the whole state ...

Agrippa, husband to empress Julia, is the third son-in-law to appear in a mere fifteen chapters, following Helvidius Priscus and Otho. Strictly speaking, he is one of three sons-in-law in this sentence alone, which makes a very good illustration of the Roman "family chessboard." Augustus made the various moves required to simplify the stemma and bring suitable relatives closer to the throne: first his nephew Marcellus, then Agrippa, then his grandsons, and finally his stepson Tiberius, son of Livia and Cicero's prospective son-in-law, Tiberius Nero. Tacitus does not indicate here that, apart from the grandsons, each of these heirs had also first been Augustus'

son-in-law, as if marriage to Julia were an essential try-out period before permanent adoption.⁹⁹

For all the parallels with Nerva and Trajan, however, the real drift of this speech is still hard to fathom. In practical and rhetorical terms, Galba's move is a failure; a unilateral decision, taken behind closed doors, it has little to do with consensus. Still, he justifies his choice of a random pasty-faced aristocrat (Piso is even the *younger* of two brothers) as a new dawn of liberation for the principate, or at least a substitute for it:

sub Tiberio et Gaio et Claudio unius familiae quasi hereditas fuimus; loco libertatis erit quod eligi coepimus. et finita Iuliorum Claudiorumque domo optimum quemque adoptio inueniet. nam generari et nasci a principibus fortuitum, nec ultra

⁹⁹ By the time Livia's son Tiberius was adopted, Julia was disgraced and the couple divorced, so the problem of brother-sister incest did not arise (Corbier 1991a: 71). Claudius married his daughter Octavia to his new wife's son Nero, then adopted him (Suet. *Claud.* 27: "Of his sons-in-law he adopted Nero; Pompeius and Silanus he not only declined to adopt, but even put to death."). Hallett 1984: 335 notes the potential for competition between sons-in-law and nephews of the same man: hence Cato's posthumous "son-in-lawing" of his nephew Brutus. Bush 1982: 90-93 charts marital maneuvers in the Julio-Claudian succession.

aestimatur; adoptandi iudicium integrum et, si uelis eligere, consensu monstratur.

H. 1.16.1

Under Tiberius, Gaius, and Claudius we Romans were the legacy, so to speak, of one family; the fact that we emperors are now beginning to be chosen will be for everyone a substitute for liberty; and since the houses of the Julii and the Claudii are ended, adoption will select only the best; for to be begotten and born of princes is mere chance, and is not reckoned higher, but the judgment displayed in adoption is unhampered; and, if one wishes to make a choice, the individual is chosen by common consent.

Galba thinks he has pulled off the impossible: Tacitus' erstwhile incompatibles, principate and liberty (Ag. 3.1 *res olim dissociabiles ... principatum ac libertatem*), will come together in this new free-for-all, meritocratic (or presidential-style) system of succession.

There is a further reason why Tacitus might have constructed the speech so ambivalently. In the brave new world of the *Histories*, where the empire is up for grabs for anyone with enough personal ambition and military support, certain possibilities may have occurred to this particular son-in-law, the substitute heir of a general who may briefly have had a shot at the principate. Similar suspicions to mine were first aired in 1969 by R. G. Tanner (in "Tacitus and the Principate") and

since then dismissed by most scholars, but they are, I believe, worth reconsidering.¹⁰⁰

Ronald Syme had already suggested that, as author of his eulogy, Tacitus must have made a connection between Verginius Rufus, to whom the legions had offered their support in Upper Germany in AD 68, and his own father-in-law, Agricola.¹⁰¹

Verginius had been too scrupulous to go further without senatorial backing; where Agricola is concerned, Tacitus has to make a virtue of his inability to seize his chance. Since he did not stick his neck out like the martyrs, his moral failure must be cast as a tragedy – the headlong fall (*praeceps agebatur*) of a too-favored figure, the repeated bludgeoning and downward spiral of a victim not of the gods but of a jealous emperor, fearful of his talented rival:

id sibi maxime formidulosum, priuati hominis nomen supra principem attolli ...
cetera utcumque facilius dissimulari, ducis boni imperatoriam uirtutem esse.

Ag. 39.2-3

¹⁰⁰ Tanner 1969; undauntedly revived in Tanner 1991: 2714 (“my own delicious but disregarded theory of a quarter of a century ago”); cf. *ibid.* 2726-27.

¹⁰¹ Syme 1957. Sailor 2014: 109 and n.21 notes that Trajan’s rise to the principate through military success rewrites Agricola’s story, in a way that “held interesting possibilities for Tacitus as well.”

It was the most terrifying thing for Domitian, that the name of a private individual was being exalted above that of the princeps ... [Agricola's] other talents could easily be ignored, but it remained the case that being a great general was the primary qualification for emperor.

These heavy hints that Agricola was once emperor-material help to explain the odd mixture of tradition and innovation in Galba's case for the succession in *Histories* I. If anyone with the right talents and resources could aspire to be emperor, there was still good precedent (via Augustus) for making one's son-in-law the heir in question. Should we be reading Tacitus not just as the "consular historian" (as John Henderson calls him) but simultaneously as the "imperial historian," who inwardly speculates on how the succession might have been different and outwardly parades his own qualifications for the role of all-seeing ruler?¹⁰²

¹⁰² Henderson 1998: 276. Ingo Gildenhard points out to me that Pliny the Younger might equally be described as the "imperial epistolographer," when he boasts that Verginius Rufus, his guardian and surrogate parent (*Ep.* 2.1.8 *affectum parentis exhibuit*), virtually adopted him, as shown by his choice of Pliny for election to the *quinqueviri*: *Ep.* 2.1.9 *'etiam si filium haberem, tibi mandarem,'* "'Even if I had a son, I would entrust this task to you'" (Pliny thus surreptitiously challenges Tacitus, the stand-in "son" whom he commends as eulogist at Verginius' funeral in the same letter). See already Henderson 2002: 149: "'Trajan adopted by old Nerva' . . . is replicated by 'Pliny "adopted" by Verginius and Spurinna, then adopted by uncle C.

Tacitus never addresses this disappointment directly; he only subtly suggests it. The same survival instinct characterizes both Agricola's life and Tacitus' representation of it. Tacitus "hints at the glass ceiling that prevents Agricola from being what he could have been, and the *Agricola* from being the *uita* it would (should?) have been," while the prudence ingrained by Agricola's mother "both reins in the idealism of [his] youth, and censors his son-in-law's text."¹⁰³ But if this caution put a limit to actual achievements and actual resistance, it put no limits on flights of the imagination. Let us return by way of an ending to the early paragraph in *Agricola* where Tacitus describes how he first became a son-in-law. As Sailor notes (2008: 81), the account acts as a hinge between Agricola's CV and Tacitus' ethnography of Britain, thus cementing the idea that the two men's endeavors, conquest and writing, are part of the same collaborative project, such that, by the end, the biography has replaced Julia as the link between the two men. In addition, the word for "betrothed" here, *despondit*, responds to its synonym *destinatus*,

Plinius Secundus.'" Hannah Kirk-Evans also reminds me that in *Ep.* 6.10 Pliny refers to the scandalously unfinished tomb of Verginius Rufus at the villa his beloved ex-mother-in-law Pompeia Celerina (still called *socrus mea*) happened to have acquired. In "completing" the tomb by recording for posterity the dead man's planned inscription, Pliny performs a virtual act of *pietas* for a virtual father- or father-in-law-figure.

¹⁰³ Whitmarsh 2006: 315.

“dedicated,” in the proem. A book for a daughter: the verbs have a history which prepares us for exactly this way of settling debts between father-in-law and son-in-law, especially where, for all we know, there were no grandchildren.

Tacitus’ words here contain many unspoken hints, Freudian slips, and dots asking to be joined:

minus triennium in ea legatione detentus ac statim ad spem consulatus reuocatus est, comitante opinione Britanniam ei prouinciam dari, nullis in hoc ipsius sermonibus, sed quia par uidebatur. haud semper errat fama; aliquando et eligit: consul egregiae tum spei filiam iuueni mihi despondit ac post consulatum collocauit, et statim Britanniae praepositus est, adiecto pontificatus sacerdotio. Ag. 9.5-6

Agricola stayed for under three years on that mission and was immediately called back by the prospect of the consulship, attended by rumors that he would receive Britain as his province, not because of any hint from himself but because it seemed likely. Rumor does not always err; sometimes it also brings about a choice. As consul, he betrothed his daughter to me, a girl of excellent prospects at that time, and after being consul he married her to me, and immediately he was put in charge of Britain, and given the pontifical priesthood in addition.

Twice in the space of a few lines comes the word *spes*, first describing Agricola’s prospects of the consulship (*ad spem consulatus*) and then the glittering but more

nebulous prospects of his daughter (*egregiae tum spei filiam*).¹⁰⁴ Assuming that the later phrase is tied to the daughter rather than the consul – and, in a way, it is nicely ambiguous: the girl’s fortunes *are* tied up with her father’s success – what exactly does *egregiae tum spei* mean?¹⁰⁵ What were the prospects of a Roman daughter? Moral ones (so the phrase is often used of young men, who more obviously have a career ahead of them)?¹⁰⁶ Financial ones (with *tum* as a rueful “at that time, at least”)? – Tacitus tells us later (Ag. 42.3, 43.4) that Domitian was too mean to give Agricola his proconsular pension and pressurized him into leaving him a third of his estate. Her current state of optimal marriageability (she was only twelve or thirteen at the time)?¹⁰⁷ Her childbearing potential? Or, most likely of all, the promise of the bond her glorious marriage would forge between one man with prospects and another? “Rumor doesn’t always err: sometimes it inspires a choice,” Tacitus intones – just before Agricola chooses him. If the *Agricola* plots the tragedy of a man with limitless prospects, does the spectre of Tacitus’ own dashed expectations not also lurk somewhere in the background? Martyrdom was not the only “road not taken.” If he

¹⁰⁴ Woodman and Kraus *ad loc.* note that the collocation *egregia spes* is Livian: cf. Livy 43.17.4.

¹⁰⁵ See Woodman and Kraus *ad loc.* on the ambiguity of the syntax.

¹⁰⁶ Heubner 1971.

¹⁰⁷ *tum* might just be there to remind us that she was last seen as a baby at 6.2, but it might equally look to the future.

was chosen as a son-in-law, why not also an emperor's son-in-law, why not an emperor?¹⁰⁸ But the glass ceiling had been reached, and the son-in-law remained to plough his grim furrow and uproot the stories of other people's ambitions.

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¹⁰⁸ For Sailor 2004: 160-61, the preface to *Agricola* suppresses the notion "If these two [Nerva and Trajan] can become *principes*, then any of us could" by affirming their fated distinction from other Domitianic senators.

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